

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, February 27, 2007 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark D Kinser, Chair
Anthony Orange, Co Chair
Troy Smith
Robert M Kirby
Mark Cronin
Ann Rackas Pate
Michael Redifer
Jeffrey Modisett
Wyatt Walton
Ken Hart
Jack Miller

Board Member absent from the meeting was: Dorothy Wood and Deborah Tomlin.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
David Ashe, Chief Deputy
Eric L. Olson, Executive Director
Karen O'Neal, Deputy Director, LRD
Eric Gregory, Assistant Attorney General
Kevin Hoeft, Regulatory Boards Administrator
Karen Kenney, Administrative Assistant
Sheila Watkins, Administrative Assistant
Joe Haughwout, Legal Assistant
Earlyne Perkins, Legal Analyst
Victoria Traylor, Legal Analyst
Nick Christner, Deputy Director, CID
Jennifer Kazzie, Asst. Director, Adjudication

Chairman Mark Kinser called the meeting to order at 9:23 a.m. and declared a of board members was in attendance.

Call
To Order

A motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to approve the agenda as written. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Modisett and Rackas Pate.**

Approval of
the Agenda

Wood and Tomlin were absent.

Mr. Walton moved to approve the following minutes as submitted from the:

Approval of
Minutes

January 23, 2007, Board for Contractor Meeting
January 9, 2007 Informal Fact Finding Conference
January 11, 2007 Informal Fact Finding Conference
January 16, 2007 Informal Fact Finding Conference
January 18, 2007 Informal Fact Finding Conference
January 18, 2007 Informal Fact Finding Conference
January 23, 2007 Informal Fact Finding Conference
January 25, 2007 Informal Fact Finding Conference
January 30, 2007 Informal Fact Finding Conference

Mr. Modisett seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Kinser, Kirby, Cronin, Orange, Smith, Hart, Miller, Redifer, Walton, Modisett and Rackas Pate.**

Wood and Tomlin were absent.

Mark Sterniski addressed the Board with some suggestions to the application that he feels are in order to ensure the protection of Qualified Individuals and Designated Employees. Staff kept a copy of his remarks and will bring them to the Committee during regulatory review.

Public
Comment
Period

In the matter of Recovery Fund File Number 2007-01773 – Prima Facie, Donald E. Lamarche, Jr. (Claimant) vs. Neighborhood Lawn Care, LTD (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neighborhood Lawn Care, LTF (Regulant)** did not appear at the board meeting. Steve Owen, Attorney for **Donald E. Lamarche, Jr. (Claimant)** appeared at the board meeting. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$14,626.50. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Smith, Hart, Modisett, Miller, Orange, Walton, Redifer and Rackas Pate.**

File Number
2007-01773
Donald E.
Lamarche,
Jr. vs
Neighorho
od Lawn
Care, LTD

Wood and Tomlin were absent.

In the matter of Recovery Fund File Number 2006-03789, William G-J Chiang (Claimant) vs. Atlantic Bay Master, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert Williams, Jr., t/a Atlantic Bay Master, Inc. (Regulant)** did not appear at the board meeting. **William G J Chiang (Claimants)** appeared at the board meeting and shared his agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$4,864.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Modisett, Orange, Walton, Redifer and Rackas Pate.**

File Number
2006-03789
William G-J
Chiang vs
Atlantic Bay
Master, Inc.

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02571, Gerald Thomas Simon the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2007-02571
Gerald
Thomas
Simon

Applicant Gerald Thomas Simon appeared at the IFF. Mr. Simon and his attorney John McNally attended the Board meeting and addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Orange, Smith, Hart, Redifer, Walton, Miller and Modisett.**

Wood and Tomlin were absent. Rackas Pate and Kirby voted "no".

Mr. Kirby and Ms. Wood voted "no".

In the matter of Recovery Fund File Number 2007-02430- Prima Facie, Lisa Gale Hardymon (Claimant) vs. Jamestown Cabinetry, Inc.

File Number
2007-02430

(Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Jamestown Cabinetry, Inc. (Regulant)** did not appear at the board meeting. **Lisa Gale Hardymon (Claimant)** appeared at the board meeting. She addressed the Board. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Miller** to adopt the claim review and approve the claim for payment in the amount of \$91,269.80. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

**Lisa Gale
Hardymon
vs
Jamestown
Cabinetry,
Inc.**

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02574, Jeremy J. Zalas, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-02574
Jeremy J.
Zalas**

Applicant Jeremy J. Zalas appeared at the IFF and the Board meeting. He addressed the Board. Witness, Randall Jackson appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. Ms. Perkins shared with the Board that a correction needed to be made in the summary to reflect Mr. Zalas' release from prison to reflect March instead of September.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Orange, Smith, Hart, Redifer, Walton, and Rackas Pate.** **Mr. Kirby and Mr. Modisett** voted "No."

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2004-03543, David Michael King (Claimant) vs. Custom Wood Services, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Custom Wood Services, Inc. (Regulant)** did not appear at the board meeting. **David Michael King and James King Claimants** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$12,478.00. The motion passed by

**File Number
2004-03543
David
Michael
King vs.
Custom
Wood
Services,
Inc.**

unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2007-02531- Prima Facie, Diane Y. Smoyer and Bruce B. Shuttleworth (Claimants) vs. Dave's Contracting & Home Improvement, LLC (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Dave's Contracting & Home Improvement, LLC (Regulant)** did not appear at the board meeting. **Diane Y. Smoyer and Bruce B. Shuttleworth (Claimants)** and their attorney, **Jarrett Rodregias** appeared at the board meeting. They addressed and shared their agreement with the Board. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$15,135.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

File Number
2007-02531
Diane Y.
Smoyer and
Dave's
Contracting
& Home
Improvement,
LLC

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2007-01953- Prima Facie, Helen G. Rountree (Claimant) vs. Realistic Painting & Home Improvements, LLC (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Realistic Painting & Home Improvements, LLC (Regulant)** did not appear at the board meeting. **Helen G. Rountree (Claimant)** appeared at the board meeting. She addressed the Board. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$11,000.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

File Number
2007-01953
Helen G.
Rountree vs
Painting &
Home
Improvements,
LLC

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02630, Jeremy Scott Harwley, t/a Jeremy Harwley Contracting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

2007-02630
Jeremy
Scott
Harwley,t/a
Jeremy
Harwley
Contracting

Applicant Jeremy Scott Harwley, t/a Jeremy Harwley Contracting participated at the IFF. He attended the Board meeting and addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did

not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference in part and approve the license.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02631, Deanna Shae Weakland, t/a DSWG Professional Service, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-02631
Deanna
Shae
Weakland,
t/a DSWG
Professional
Services**

Applicant Deanna Shae Weakland, t/a DSWG Professional Services appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the summary and recommendation and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Hart, Redifer, and Modisett. Ms. Rackas Pate, Mr. Kirby, Mr. Orange and Mr. Walton** voted "No."

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2006-04774 – Prima Facie, Lawrence E. and Mary Ann Preston (Claimant) vs. Smithworks & Co., LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Smithworks & Co., LLC (Regulant)** did not appear at the board meeting. **Mr. Heller**, attorney for **Lawrence E. and Mary Ann Preston (Claimants)** appeared at the board meeting. He addressed the Board and shared his clients, agreement. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Miller** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$19,836.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

**File Number
2006-04774
Lawrence E.
and Mary
Ann Preston
vs
Smithworks
& Co., LLC**

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02690, Robert F.

File Number

Crowe, Jr., t/a Robert Crowe Painting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**2007-02690
Robert F.
Crowe, Jr.,
t/a Robert
Crowe
Painting**

Applicant Robert F. Crowe, Jr., t/a Robert Crowe Painting participated at the IFF. Robert F. Crowe, Jr. appeared at the board meeting and shared his disagreement with the recommendations. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion was a majority vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.** **Mr. Cronin** voted "No."

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02693, Joshua Farmer, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-02693
Joshua
Farmer**

Applicant Joshua Farmer appeared at the IFF and the board meeting and shared his agreement with the recommendations. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was a majority vote. Members voting "Yes" were: **Kinser, Miller, Smith, Redifer, Walton, and Rackas Pate.** **Mr. Orange, Mr. Kirby, Mr. Hart, Mr. Cronin and Mr. Modisett** voted "No."

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2006-01917- Prima Facie, Harris I. Raskind vs Christopher Lee Tingen, t/a C.L. Tingen Paint Contractor (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Christopher Tingen, t/a C.L. Tingen Paint Contractor (Regulant)** did not appear at the board meeting. **Harris Raskind (Claimant)** appeared at the board meeting and shared his agreement with the recommendations. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's

**File Number
2006-01917
Harris I.
Raskind vs
Christopher
Lee Tingen,
t/a C. L.
Tingen Paint
Contractor**

recommendations and summary for violations and approved the claim for payment in the amount of \$1,483.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02425, Kenneth Lee Burnett, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**2007-02425
Kenneth Lee
Burnett, Jr**

Applicant Kenneth Lee Burnett, Jr. appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02748, John M. Leslie and Christine M. Leslie, t/a Leslie's Home Improvement, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-02748
John M.
Leslie and
Christine M.
Leslie, t/a
Leslie's
Home
Improve-
ment**

Applicant John M. Leslie and Christine M. Leslie, t/a Leslie's Home Improvement appeared at the IFF. He addressed the Board at the board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.** **Mr. Kirby** voted "No."

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02424, Young's Custom Homes, LLC, the Board members reviewed the record, which

**File Number
2007-02424**

consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**Young's
Custom
Homes, LLC**

Applicant Gordon Wesley Young, III appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and second by **Mr. Cronin** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion passed by unanimous vote. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of License Application File Number 2007-02776, Steven William Patterson, Sr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-02776
Steven
William
Patterson,
Sr.**

Applicant Steven William Patterson, Sr. appeared at the IFF. He did not attend the board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Mr. Smith** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2005-02382, Nahid Masjooni (Claimant) vs. Amar R. Singh, t/a Kitchens By Design (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Amar R. Singh, t/a Kitchens By Design (Regulant)** did not appear at the board meeting. **Nahid Masjooni (Claimants)** did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$18,821.00. The motion passed by unanimous vote. Members voting "Yes" were:

**File Number
2005-02382
Nahid
Masjooni vs
Amar R.
Singh, t/a
Kitchens By
Design**

Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2006-01966, Rick Jones (Claimant) vs. BlueRoc, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **BlueRoc, LLC (Regulant)** did not appear at the board meeting. **Rick Jones (Claimant)** did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$16,750.60. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

File Number
2006-01966
Rick Jones
vs BlueRoc,
LLC

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2006-03636- Prima Facie, Elizabeth Key (Claimant) vs. Michael Andrews, t/a Andrews Construction (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Michael Andrews, t/a Andrews Construction (Regulant)** appeared at the board meeting and shared his disagreement with the facts of case and requested an Informal Fact Finding Conference (IFF). He shared that he didn't receive the notice informing him of the Informal Fact Finding meeting. **Elizabeth Key (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to remand this case back to an Informal Fact Finding Conference (IFF).

File Number
2006-03636
Elizabeth
Key vs
Michael
Andrews, t/a
Andrews
Construc-
tion

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton and Modisett.** **Ms. Rackas Pate and Mr. Kirby** voted "No."

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2006-0441 – Prima Facie, Doug Sabin(Claimant) vs. Clarence Allen Bell, III, t/a Realtor Services (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Clarence Allen Bell, III, t/a Realtor Services (Regulant)** did not appear at the board meeting. **Doug Sabin (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Orange** and

File Number
2006-04441
Doug Sabin
vs Clarence
Allen Bell,
III, t/a
Realtor

seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$6,662.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2007-02015- Prima Facie, Edwin B. Shaw (Claimant) vs. Atlantic Roofing & Construction, LLC (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Atlantic Roofing & Construction, LLC (Regulant)** did not appear at the board meeting. **Edwin B. Shaw (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to adopt the claim review and approve the claim for payment in the amount of \$1,144.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Recovery Fund File Number 2007-02345- Prima Facie, Ann Young (Claimant) vs. Underwood Construction Company, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Underwood Construction Company, Inc. (Regulant)** did not appear at the board meeting. **Ann Young (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$3,450.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-02569, C & S renovations, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Robert C & S Renovations, Inc. (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting. **Richard Cogan (Complainant)** attended the IFF.

As the Board Representatives, **Mr. Kinser and Mr. Miller** were not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and

Services

File Number
2007-02015
Edwin B.
Shaw vs
Atlantic
Roofing &
Constructio
n, LLC

File Number
2007-02345
Ann Young
vs
Underwood
Constructio
n Company,
Inc.

File Number
2006-02569
C & S
Renovations,
Inc.

seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory/ and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **C & S Renovations, Inc.** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 15

Count 3: 18 VAC 50-22-260 B 16

Count 4: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Redifer, Orange, Walton, Modisett and Rackas Pate.** **Mr. Hart did not participate in voting.**

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; \$2,500.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; and \$1,000.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$6,400.00. In addition, for violation of Counts 1, the Board voted to require **C & S Renovations, Inc.** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order. The Board also imposes revocation of license (Number 2705-092354) for the violation of Counts 2 and 3.

The motion was approved unanimously. Members voting "Yes" were: **Kirby, Cronin, , Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.** **Mr. Hart did not participate and did not vote.**

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-04199, Dennis Lane Burris, t/a Burris Construction & Remodeling (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Dennis Lane Burris, t/a Burris Construction & Remodeling (Respondent)** nor anyone on his behalf appeared at the IFF or the board meeting.

As the Board Representatives, **Mr. Kinser and Mr. Miller** were not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and

File Number
2006-04199
Dennis Lane
Burris, t/a
Burris
Construc-
tion &
Remodeling

seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Dennis Lane Burris, t/a Burris Construction & Remodeling** violated the following sections of its Regulations:

(Effective September 1, 2001.)

Count 1: 18 VAC 50-22-260 B 8

Count 2: 18 VAC 50-22-260 B 9

Count 3: 18 VAC 50-22-260 B 27

Count 4: 18 VAC 50-22-260 B 6

Count 5: 18 VAC 50-22-260 B 14

Count 6: 18 VAC 50-22-260 B 16

Count 7: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$600.00 monetary penalty for the violation of Count 2; \$1,000.00 monetary penalty for the violation of Count 3; \$1,000.00 monetary penalty for the violation of Count 4; \$1,500.00 monetary penalty for the violation of Count 5; \$1,500.00 monetary penalty for the violation of Count 6; and \$1,000.00 monetary penalty for the violation of Count 7. Total monetary penalty is \$7,100.00. In addition, for violation of Counts 1, 2, 3 and 4 the Board voted to require Dennis Lane Burris, Jr. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order. The Board also imposes revocation of license (Number 2705-082700) for the violation of Counts 5 and 6.

The motion was approved unanimously. Members voting "Yes" were: **Kirby, Cronin, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-02569, C & S renovations, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Robert C & S Renovations, Inc.**

File Number
2006-04725
C & S
Renovations,

(Respondent) nor anyone on its behalf appeared at the IFF or the board meeting.

Inc.

As the Board Representatives, **Mr. Kinser and Mr. Miller** were not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **C & S Renovations, Inc.** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 28

Count 2: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Redifer, Orange, Walton, Modisett and Rackas Pate.** **Mr. Hart did not participate and did not vote.**

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$2,500.00 monetary penalty for the violation of Count 1; and \$1,000.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$3,500.00. The Board also imposes revocation of license (Number 2705-092354) for the violation of Count 1.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Redifer, Orange, Walton, Modisett and Rackas Pate.** **Mr. Hart did not participate and did not vote.**

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-04397, Rudolph M. Riley, t/a Riley Contracting (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Rudolph M. Riley, t/a Riley Contracting (Respondent)** appeared at the IFF, but not the board meeting. **Amy Hymes** appeared at the IFF and the board meeting.

File Number
2006-04397
Rudolph M.
Riley, t/a
Riley
Contracting

As the Board Representative, **Mr. Smith** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Rudolph M. Riley, t/a Riley Contracting**, violated the following

sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 8

(Effective February 1, 2006)

Count 2: 18 VAC 50-22-260 B 9

(Effective September 1, 2001)

Count 3: 18 VAC 50-22-260 B 31

Count 4: 18 VAC 50-22-260 B 27

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 1; \$500.00 monetary penalty for the violation of Count 2; \$200.00 monetary penalty for the violation of Count 3 and \$300.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$1,350.00. In addition, for violation of Counts 1, 2 and 4, the Board voted to require Rudolph M. Riley have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-03521, Woodcraft Visions, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Todd Heyns**, on behalf of Woodcraft Visions, Inc., **(Respondent)** participated at the IFF via telephone. Woodcraft Visions, Inc. did not attend the board meeting.

File Number
2006-03521
Woodcraft
Visions, Inc.

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Woodcraft Visions, Inc.** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 31

The motion was approved unanimously. M Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Orange** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1. Total monetary penalty is \$400.00. In addition, for violation of Count 1 the Board voted to require Woodcraft Visions, Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-0392, Charlie F. Jamison, t/a Jamison Roofing and Remodeling (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Charlie F. Jamison, t/a Roofing and Remodeling (Respondent) nor anyone on his behalf appeared at the IFF or the board meeting.**

**File Number
2006-03962
Charlie F.
Jamison, t/a
Jamison
Roofing and
Remodeling**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Charlie F. Jamison, t/a Jamison Roofing and Remodeling** violated the following sections of its Statute:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 14

Count 2: 18 VAC 50-22-260 B 16

Count 3: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton,

Modisett and Rackas Pate.

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Hart** to impose the following sanction: \$1,900.00 monetary penalty for the violation of Count 1; \$2,000.00 monetary penalty for the violation of Count 2 and \$1,300.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$5,200.00. The Board also imposes revocation of license (Number 2705-099350) for the violation of Counts 1, 2 and 3.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-04377, Robert Dixon, t/a D and D Decks (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Robert Dixon, t/a D and D Decks (Respondent)** nor anyone on his behalf appeared at the IFF or the board meeting.

**File Number
2006-04377
Robert
Dixon, t/a D
and D Decks**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Robert Dixon, t/a D and D Decks** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 22 (two violations)

Count 2: 18 VAC 50-22-260 B 23 (two violations)

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following sanctions: \$1,500.00 (two violations @ \$750.00 each violation) monetary penalty for the violation of Count 1. Total monetary penalty is \$1,500.00. The Board further imposes revocation of

license (Number 2705-100944) for the violations of Counts 1 and 2. As to 18 VAC 50-22-260 B 22 (Count 1), pursuant to § 54.1-202 of the Code of Virginia, the Board voted to impose no monetary penalty for the violation of the regulation.

The motion was approved by a majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-03354, Jamison Childester, t/a Masonry. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Jamison Childester, t/a Masonry (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting. David and Esta Johnston (**Complainants**) attended the IFF and the board meeting.

File Number
2006-03354
Jamison
Childester,
t/a Masonry

As the Board Representative, **Mr. Walton** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Jamison Childester, t/a Masonry**, violated the following sections of its Regulations:

(Effective September 1, 2001.)
Count 1: 18 VAC 50-22-260 B 14

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$2,500.00 monetary penalty for the violation of Count 1. Total monetary penalty is \$2,500.00. Furthermore, the Board voted to impose revocation of license (Number 2705-099253) for the violation of Count 1.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02503, Board v. Curtis Bernard Cooper, t/a The Concrete Man, the Board reviewed the Consent Order.

**File Number
2006-02503
Curtis
Bernard
Cooper, t/a
The
Concrete
Man**

Curtis Bernard Cooper, t/a The Concrete Man, who attended the Board meeting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.A \$100.00; Count 2: 18 VAC 50-22-260.B.9 \$100.00; Count 3: 18 VAC 50-22-260.B. 31 \$100.00 and Count 4: 18 VAC 50-22-230.B \$0.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for violation of Count 4, Curtis Bernard Cooper agrees to Report his current mailing and/or physical address to the Board, in writing, within thirty (30) days of the effective date of this Order. Further, for violation of Counts 1, 2, 3 and 4, Curtis Bernard Cooper agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Curtis Bernard Cooper also agrees to pay \$300.00 in Board costs. Mr. Orange served as chairperson for this case.

Upon a motion by Mr. Redifer seconded by Mr. Hart the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kirby, Cronin, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate. As the hearing officers, Mr. Kinser and Mr. Miller did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-02078, Kelly Jordan, t/a PCS Construction (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Kelly Jordan, t/a PCS Construction (Respondent) nor anyone on his behalf appeared at the IFF or the board meeting.

**File Number
2006-02078
Kelly
Jordan, t/a
PCS
Construc-
tion**

Mr. Kinser resuming chairperson position for this case. As the Board Representative, Mr. Walton was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Kelly Jordan, t/a PCS Construction, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 17

Count 2: 18 VAC 50-22-260 B 8

Count 3: 18 VAC 50-22-260 B 9

Count 4: 18 VAC 50-22-260 B 27

Count 5: 18 VAC 50-22-260 B 14

Count 6: 18 VAC 50-22-260 B 16

Count 7: 18 VAC 50-22-260 B 13

Count 8: 18 VAC 50-22-230 B

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following sanctions: \$2,000.00 monetary penalty for the violation of Count 1; \$250.00 monetary penalty for the violation of Count 2; \$500.00 monetary penalty for the violation of Count 3; \$1,000.00 monetary penalty for the violation of Count 4; \$1,500.00 monetary penalty for the violation of Count 5; \$2,000.00 monetary penalty for the violations of Count 6; \$2,000.00 monetary penalty for the violation of Count 7; and \$750.00 monetary penalty for the violation of Count 8. Total monetary penalty is \$10,000.00. In addition, for violation of Counts 2, 3, 4 and 8 the Board voted to require Kelly Jordan have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order. Further, the Board imposes revocation of license (Number 2705-081402) for the violations of Counts 1, 6 and 7.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2006-04328, American Painting, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither American Painting, Inc. (Respondent) nor anyone on its behalf appeared at the IFF** Jeff and Sheri Patterson **(Complainants)** attended the IFF.

File Number
2006-04328
American
Painting,
Inc.

As the Board Representative, **Mr. Walton** was not present and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **American Painting, Inc., t/a American Painting, Inc.**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 8

Count 2: 18 VAC 50-22-260 B 6

Count 3: 18 VAC 50-22-260 B 28

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2 and \$2,000.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$3,500.00. In addition, for violation of Count 1, the Board voted to require American Painting, Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order. Further, the Board imposes revocation of license (Number 2705-046657) for the violations of Counts 2 and 3.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Disciplinary File Number 2007-00278, John T Armstrong, t/a House Doctors VA (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither John T Armstrong, t/a House Doctors VA (Respondent)** nor anyone on its behalf appeared at the IFF. **Carlton and Selena Wright (Complainants)** attended the IFF.

File Number
2007-00278
John T
Armstrong,
t/a House
Doctors VA

As the Board Representative, **Mr. Walton** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the

regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **John T Armstrong, t/a House Doctors VA**, violated the following sections of its Regulations:

(Effective February 1, 2006)

Count 1: 18 VAC 50-22-260 B 9

(Effective September 1, 2001)

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 27 (two violations)

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2 and \$1,000.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$2,500.00. In addition, for violation of Counts 1, 2 and the Board voted to require John T Armstrong, Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2005-04548, Board v. Brian Brubaker, t/a Brubaker Construction Co., the Board reviewed the Consent Order.

Brian Brubaker, t/a Brubaker Construction Co., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:
Count 1: 18 VAC 50-22-260. B.18 \$700.00. A total monetary penalty of \$700.00 is hereby imposed. In addition, Brian Brubaker agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Brian Brubaker also agrees to pay \$150.00 in Board costs.

File Number
2005-04548
Brian
Brubaker,
t/a Brubaker
Construc-
tion Co.

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the

consent order with an unanimous vote: Members voting "Yes" were:
**Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton,
Modisett and Rackas Pate.**

Tomlin and Wood were absent.

**In the matter of Consent Order File Number 2007-00713, Board v.
Jeremy Kroell, t/a Jeremy Kroell, the Board reviewed the Consent Order.**

**File Number
2007-00713
Jeremy
Kroell, t/a
Jeremy
Kroell**

Jeremy Kroell, t/a Jeremy Kroell, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$500.00; Count 2: 18 VAC 50-22-260.B.27 \$1,000.00; Count 3: 18 VAC 50-22-260.B.15 \$1,500.00 and Count 4: 18 VAC 50-22-260.B.13 \$2,500.00. A total monetary penalty of \$5,500.00 is hereby imposed. In addition, for violation of Counts 3 and 4, Jeremy Kroell agrees to revocation of his license (Number 2705-097991). Jeremy Kroell also agrees to pay \$150.00 in Board costs.

**Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Smith, Redifer, Orange, Walton, Modisett and Rackas Pate.
Tomlin and Wood were absent.**

As the Board Representative, Mr. Hart did not participate and did not vote.

**In the matter of Consent Order File Number 2006-01204, Board v. J & D
Masonry and Construction LLC, t/a J & D Masonry and Construction
LLC, the Board reviewed the Consent Order.**

**File Number
2006-01204
J & D
Masonry
and
Constructio
n LLC, t/a J
& D
Masonry
and
Constructio
n LLC**

J & D Masonry and Construction LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$0.00 and Count 2: 18 VAC 50-22-260.B.9 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, J & D Masonry and Construction LLC agrees to revocation of its license (Number 2705-092807). Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Kinser did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02724, Board v. Robert S. Hartless, t/a Bo's Landscaping & Contracting, the Board reviewed the Consent Order.

**File Number
2006-02724
Robert S
Hartless, t/a
Bo's
Landscaping
&
Contracting**

Robert S. Hartless, t/a Bo's Landscaping & Contracting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.B \$300.00; Count 2: 18 VAC 50-22-260.B.9 \$900.00 and Count 3: 18 VAC 50-22-260.B.14 \$500.00. A total monetary penalty of \$1,700.00 is hereby imposed. In addition, Robert S Hartless agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Further, Robert S Hartless agrees to complete the work at the subject property and provide the Board with proof of completion. Robert S Hartless also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Kinser did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02556, Board v. Montebello Enterprises, Inc., t/a Montebello Enterprises, Inc., the Board reviewed the Consent Order.

**File Number
2006-02556
Montebello
Enterprises
Inc., t/a
Montebello
Enterprises,
Inc.**

Montebello Enterprises, Inc., t/a Montebello Enterprises, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$200.00; Count 2: 18 VAC 50-22-260.B.14 \$300.00; Count 3: 18 VAC 50-22-260.B.16 \$300.00; Count 4: 18 VAC 50-22-260.B.28 \$300.00 and Count 5: 18 VAC 50-22-230.B. \$0.00. A total monetary penalty of \$1,100.00 is hereby imposed. For the violation of Counts 3 and 4, Montebello Enterprises, Inc. agrees to revocation of its license (Number 2705-090980). In addition, the Board shall waive imposition of the \$300.00 monetary penalty and license revocation for Counts 3 and 4 provided Montebello Enterprises, Inc. satisfies the judgment and provides the Board with proof of the satisfaction within six (6) months of the effective date of the Order. If

Montebello Enterprises, Inc. fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed. Further, for the violation of Counts 1, 2, 3, 4, and 5, Montebello Enterprises, Inc. agrees to successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Montebello Enterprises, Inc. also agrees to pay \$500.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kirby, Cronin, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

As the Board Representatives, Mr. Kinser and Miller did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-04467, Board v. Renaissance Development LLC, t/a Renaissance Development, Inc., the Board reviewed the Consent Order. Ernest Martin, Jr. appeared at the Board meeting and he addressed the Board.

**File Number
2006-004467
Renaissance
Development
LLC, t/a
Renaissance
Develop-
ment LLC**

Renaissance Development Inc., t/a Renaissance Development LLC , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.A \$700.00; Count 2: 18 VAC 50-22-260.B.27 \$700.00 and Count 3: 17 VAC 50-22-260.B.29 \$500.00. A total monetary penalty of \$1,900.00 is hereby imposed. In addition, Renaissance Development LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Renaissance Development LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

As the Board representative, Mr. Kirby did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-04572, Board v. Ray

File Number

C. Pfeiffer, t/a The Deckmaster, the Board reviewed the Consent Order.

2006-04572
Ray C.
Pfeiffer, t/a
The
Deckmaster

Ray C. Pfeiffer, t/a The Deckmaster, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for violation of Count 1, Ray C Pfeiffer agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within six (6) months of the effective date of the Order. Ray C. Pfeiffer also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

As the Board Representative, Mr. Kirby did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00932, Board v. Robert J. Reeser, Jr., t/a Applied Residential Technical Services, the Board reviewed the Consent Order.

File Number
2007-00932
Robert J.
Reeser, Jr.,
t/a Applied
Residential
Technical
Services

Robert J. Reeser, Jr., t/a Applied Residential Technical Services, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.29 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for violation of Count 1, Robert J. Reeser, Jr. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Robert J. Reeser, Jr. also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

As the Board Representative, Mr. Kirby did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-00533, Board v. James

File Number

R. Nolton & Adam J. Estep, t/a Big Dreams Painting & Home Improvement, the Board reviewed the Consent Order.

James R. Nolton & Adam J. Estep, t/a Big Dreams Painting & Home Improvement, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$0.00; Count 2: 18 VAC 50-22-260.B.6 \$0.00; Count 3: 17 VAC 50-22-260.B.14 \$0.00; and Count 4: 18 VAC 50-22-260.B.16 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for the violation of Counts 3 and 4, Nolton & Estep agrees to revocation of its license (Number 2705-077016).

**2006-00533
James R.
Nolton &
Adam J.
Estep, t/a
Big Dreams
Painting &
Home
Improve-
ment**

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-00588, Board v. Total Construction Management LLC, the Board reviewed the Consent Order.

Total Construction Management LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for the violation of Count 1, Total Construction Management LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Total Construction Management LLC also agrees to pay \$150.00 in Board costs.

**File Number
2006-00588
Total
Construc-
tion
Manage-
ment LLC**

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-01598, Board v. Jose A Pereyra., the Board reviewed the Consent Order.

Jose A Pereyra, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.16 \$700.00

**File Number
2006-01598
Jose A
Pereyra**

and Count 2: 18 VAC 50-22-230.B \$700.00. A total monetary penalty of \$1,600.00 is hereby imposed. In addition, Jose a. Pereyra agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Jose A. Pereyra also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02074, Board v. G Williams Builders, Inc., t/a G Williams Builders, Inc., the Board reviewed the Consent Order.

G Williams Builders, Inc., t/a G Williams Builders, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$0.00; Count 2: 18 VAC 50-22-260.B.30 \$0.00; and Count 3: 18 VAC 50-22-260.B.28 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Counts 1, 2 and 3 G Williams Builders, Inc. agrees to revocation of his license (Number 2705-083266).

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02891, Board v. Nancy Garnett, t/a Garnett Construction Company, the Board reviewed the Consent Order.

Nancy Garnett, t/a Garnett Construction Company, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$100.00 and Count 2: 18 VAC 50-22-260.B.6 \$200.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for violation of Counts 1 and 2, Nancy Garnett agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective

**File Number
2006-02074
G Williams
Builders,
Inc., t/a G
Williams
Builders,
Inc.**

**File Number
2006-02891
Nancy
Garnett, t/a
Garnett
Constructio
n Company**

date of this Order. Nancy Garnett also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02950, Board v. Hairston Empire Corp., t/a Hairston Empire Corp., the Board reviewed the Consent Order.

**File Number
2006-02950
Hairston
Empire
Corp, t/a
Hairston
Empire
Corp.**

Hairston Empire Corp, t/a Hairston Empire Corp., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$150.00 and Count 2: 18 VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$450.00 is hereby imposed. Further, for the violation of Counts 1 and 2, Hairston Empire Corp agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within in ninety (90) days of the effective date of the Order.

Hairston Empire Corp also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-03906, Board v. Ivan D Porter, t/a Commonwealth Construction & Restoration, the Board reviewed the Consent Order.

**File Number
2006-03906
Ivan D
Porter, t/a
Commonwe
alth
Constructio
n &
Restoration**

Ivan D Porter, t/a Commonwealth Construction & Restoration, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$1,500.00. A total monetary penalty of \$1,500.00 is hereby imposed. In addition, Ivan d Porter agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Ivan d Porter also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-05086, Board v. Beach Home Renovations, Inc., the Board reviewed the Consent Order.

**File Number
2006-05086
Beach Home
Renovations,
Inc.**

Beach Home Renovations, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 \$350.00 and Count 2: 18 VAC 50-22-260.B.27 \$400.00. A total monetary penalty of \$750.00 is hereby imposed. In addition, Beach Home renovations, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Beach Home Renovations, Inc. also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-05416, Board v. Rappahannock Home Improvements LLC, the Board reviewed the Consent Order.

**File Number
2006-05416
Rappahanno
ck Home
Improve-
ments LLC**

Rappahannock Home Improvements, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 \$0.00; Count 2: 18 VAC 50-22-260.B.9 \$0.00; Count 3: 18 VAC 50-22-260.B.14 \$0.00; Count 4: 18 VAC 50-22-260.B. 31 \$0.00 and Count 5: 18 VAC 50-22-230.B \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, the violation of Counts 1-5, Rappahannock Home Improvements LLC agrees to revocation of its license (Number 2705-10523). Rappahannock Home Improvements LLC also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton,**

Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-05497, Board v. Campos and Lyle Construction, Inc., the Board reviewed the Consent Order.

**File Number
2006-05497
Campos and
Lyle
Construc-
tion, Inc.**

Campos and Lyle Construction, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$300.00; Count 2: 18 VAC 50-22-260.B.29 (two violations @ \$500.00 each) 1,00\$0.00 and Count 3: 18 VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$1,600.00 is hereby imposed. In addition, for violation of Counts 1, 2 and 3, Campos and Lyle Construction, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Campos and Lyle Construction, Inc. also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00549, Board v. Richard D Reineke, t/a The Pool Guyz, the Board reviewed the Consent Order.

**File Number
2007-00549
Richard D
Reineke, t/a
The Pool
Guyz**

Richard D Reineke, t/a The Pool Guyz, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.29 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for violation of Count 1, Richard D Reineke agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Richard D Reineke also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00770, Board v. Mark A Slattery, t/a Mark A Slattery Cipi, the Board reviewed the Consent Order.

**File Number
2007-00770
Mark a
Slattery, t/a
Mark A
Slattery Cipi**

Mark A Slattery, t/a Mark A Slattery Cipi, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Mark A Slattery agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Mark A Slattery also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00875, Board v. Michael Darrin Murphy, t/a Edge Contracting, the Board reviewed the Consent Order.

**File Number
2007-00875
Michael
Darrin
Murphy, t/a
Edge
Contracting**

Michael Darrin Murphy, t/a Edge Contracting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$300.00; Count 2: 18 VAC 50-22-260.B.27 (2 counts) \$600.00; and Count 3: 18 VAC 50-22-260.B.13 \$500.00. A total monetary penalty of \$1,400.00 is hereby imposed. In addition, Michael Darrin Murphy agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Michael Darrin Murphy also agrees to pay \$150.00 in Board costs. Ms. Earlyne Perkins shared with the Board that the Consent Order should read as follows: Count 2, Count 1 and Count 3.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00978, Board v.

File Number

Steven D. Berg, t/a Berg Construction Company, the Board reviewed the Consent Order.

**2007-00978
Steven D
Berg, t/a
Berg
Construc-
tion
Company**

Steven D Berg, t/a Berg Construction Company, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.18 \$450.00; Count 2: 18 VAC 50-22-260.B.8 \$300.00 Count 3: 18 VAC 50-22-230.A \$300.00; and Count 4: 18 VAC 50-22-260.B.29 \$300.00. A total monetary penalty of \$1,400.00 is hereby imposed. In addition, for violation of Count 1, Steven D Berg agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Steven D Berg also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00993, Board v. Harrison L Stanley, t/a H L Stanley Construction & Hvac, the Board reviewed the Consent Order.

**File Number
2007-00993
Harrison L.
Stanley, t/a
H L Stanley
Construc-
tion & Hvac**

Harrison L Stanley, t/a H L Stanley Construction & Hvac, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.6\$800.00. A total monetary penalty of \$800.00 is hereby imposed. In addition, for violation of Count 1, Harrison L Stanley agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Harrison L Stanley also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.**

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-01964, Board v. Jason Clayton Wright, t/a JW's Construction, the Board reviewed the Consent Order.

**File Number
2007-01964
Jason**

**Clayton
Wright, t/a
JW's
Construc-
tion**

Jason Clayton Wright, t/a JW's Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.26 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 1, Jason Clayton Wright agrees to revocation of his license (Number 2705-103830). The Board shall waive imposition of the license revocation for Count 1 provided Jason Clayton Wright satisfies the judgment and provides the Board with proof of the satisfaction within six (6) months of the effective date of the Order. If Jason Clayton Wright fails to comply with these conditions, then license revocation will be automatically imposed. Further, for violation of Count 1, Jason Clayton Wright agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Jason Clayton Wright also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00164, Board v. Patrick James McCarthy, the Board reviewed the Consent Order.

**File Number
2007-00164
Patrick
James
McCarthy**

Patrick James McCarthy, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-30-190.2 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for violation of Count 1, Patrick James McCarthy agrees to successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. Patrick James McCarthy also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Hart, Redifer, Smith, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Orange did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02348, Board v. N A

File Number

P Homes, Inc., t/a N A P Homes, Inc., the Board reviewed the Consent Order.

**2006-02348
N A P
Homes, Inc.,
t/a N A P
Homes, Inc.**

N A P Homes, Inc., t/a N A P Homes, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$100.00; Count 2: 18 VAC 50-22-260.B.9 \$100.00 and Count 3: 18 VAC 50-22-260.B.28 \$0.00. A total monetary penalty of \$200.00 is hereby imposed. In addition, for violation of Count d 3, N A P Homes, Inc. agrees to satisfy the judgment and provide the Board with proof of the satisfaction within sixty (60) days of the effective date of the Order. Further, for violation of Counts 1, 2 and 3, N A P Homes, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of the Order. N A P Homes, Inc. also agrees to pay \$500.00 in Board costs.

Upon a motion by Mr. Smith seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Smith, Hart, Orange, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Redifer did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2006-02866, Board v. Hairfield Floors, Inc., t/a Hairfield Floors, Inc. the Board reviewed the Consent Order.

**File Number
2006-02866
Hairfield
Floors, Inc.,
t/a Hairfield
Floors, Inc.**

Hairfield Floors, Inc., t/a Hairfield Floors, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.5 \$2,500.00. A total monetary penalty of \$2,500.00 is hereby imposed. In addition, for violation of Count 1, Hairfield Floors, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within six (6) months of the effective date of the Order. Hairfield Floors, Inc. also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Smith did not participate and did not

vote.

In the matter of Consent Order File Number 2006-03982, Board v. Egglestons LLC, t/a Eggleston Carpentry & Remodeling, the Board reviewed the Consent Order.

**File Number
2006-03982
Egglestons
LLC, t/a
Eggleston
Carpentry
&
Remodeling**

Egglestons LLC, t/a Eggleston Carpentry & Remodeling, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$0.00; Count 2: 18 VAC 50-22-260.B.6 \$800.00; and Count 3: 18 VAC 50-22-260.B.31 \$300.00 . A total monetary penalty of \$1,100.00 is hereby imposed. In addition, for violation of Count 3, Egglestons LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within six (6) months of the effective date of the Order. Egglestons LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Smith did not participate and did not vote.

Tomlin and Wood were absent.

In the matter of Consent Order File Number 2007-00430, Board v. BPD Construction, Inc., t/a BPD Construction, Inc., the Board reviewed the Consent Order.

**File Number
2007-00430
BPD
Constructio
n Inc., t/a
BPD
Construct-
tion, Inc.**

BPD Construction, Inc., t/a EPD Construction, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: § 54.1-1110 of the Code of Virginia \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 1, BPD Construction agrees to revocation of its license (Number 2705-091091). BPD Construction, Inc. also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Hart, Redifer, Orange, Walton, Modisett and Rackas Pate.

As the Board Representative, Mr. Smith did not participate and did not

vote.

Tomlin and Wood were absent.

Ms. Rackas Pate offered a motion seconded by Mr. Hart to move the time for hearing disciplinary and consent order cases from 11 AM to 10:30 AM. The motion was adopted by unanimous vote. Members voting "yes" were: Kinser, Kirby, Cronin, Miller, Hart, Redifer, Orange, Walton, Modisett, Smith and Rackas Pate.

Board
Meeting
Case
Hearing
time

Tomlin and Wood were absent.

The Board approved a recommendation regarding pre-license education providers made by the Committee that was not on the agenda of a past meeting.

Other
Business

Pam Kamalakkannai trained the Board in the collection procedures used by DPOR with regards to unpaid fines and brought everyone up to date on the amount of money received.

Eric Olson shared with the Board that Individual License and Certification Regulations should be on Board April 1, 2007 and Elevator application should start coming in March 1, 2007.

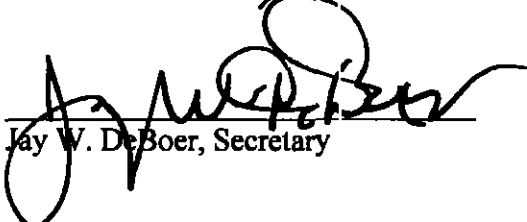
Regulatory
Review

There being no further business to come before the board, the meeting was adjourned at 12:20 P.M. upon a motion by Ms. Rackas Pate and seconded by Mr. Cronin. The vote was unanimous. Members voting yes were: Cronin, Hart, Kinser, Kirby, Rackas-Pate, Redifer, Smith, Miller, Orange, Modisett and Walton.

Adjourn-
ment

Tomlin and Wood were not present and did not vote.


Mark D. Kinser, Chairman


Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

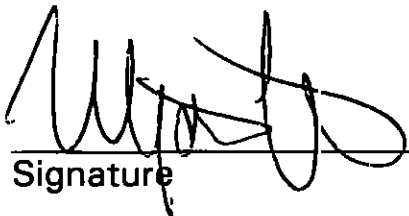
1. Name: Wyatt H. Walton, III
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

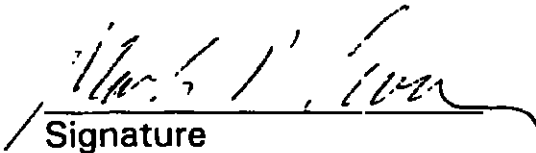
STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT

1. Name: Mark Cronin
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Anthony Orange
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

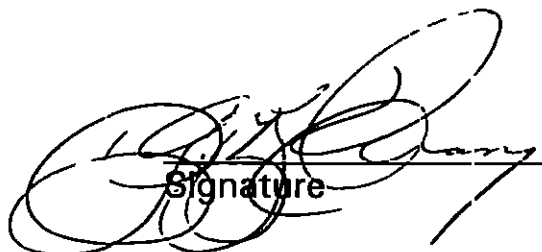
N/A

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

L.L. 666 T.D.E.W

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Robert Kirby
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

February 27, 2007
Date

STATE AND LOCAL GOVERNMENT

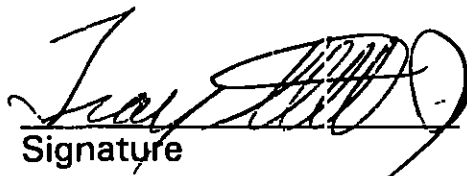
CONFLICT OF INTEREST ACT

1. Name: Troy Smith, Jr.
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

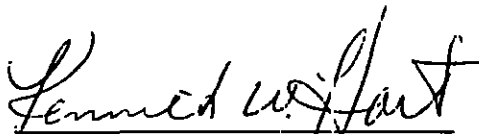
1. Name: **Kenneth W. Hart**
2. Title: **Member – Eoard for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

 (b)

I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

STATE AND LOCAL GOVERNMENT


CONFLICT OF INTEREST ACT

1. Name: **Ann Rackas Pate**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Jeffrey Modisett
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

None

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Carquest, Monahan & Dunn Inc, associated General

Contractors of Va.

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Jeffrey A. Modisett

Signature

February 27, 2007

Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Mark Kinser
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.

Mark Kinser
Signature

February 27, 2007
Date

STATE AND LOCAL GOVERNMENT

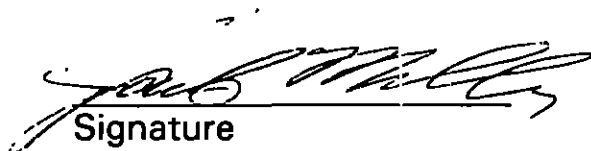
CONFLICT OF INTEREST ACT

1. Name: Jack Miller
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

February 27, 2007
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

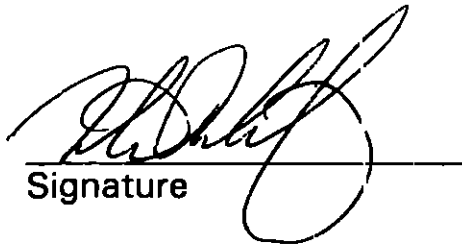
1. Name: Michael Redifer
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VBDA UPWA ILL NFPA IAET

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

February 27, 2007
Date